
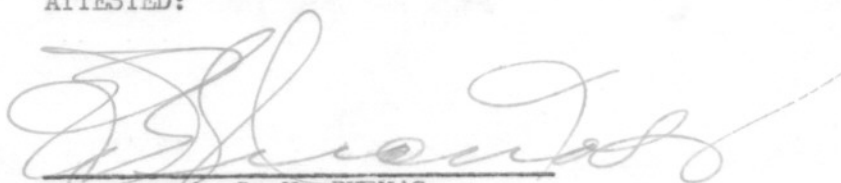


CERTIFICATION OF PASSAGE OF AN ACT TO THE GOVERNOR


This is to certify that Bill Number 123, "An Act to revise the powers, qualifications, responsibilities and duties of notaries public; to provide for commissioners of deeds and to repeal Chapter 36 of the Civil Regulations with the Force and Effect of Law in Guam", was on the 8th day of July, 1952, duly and regularly passed.


A. B. WON PAT
Speaker

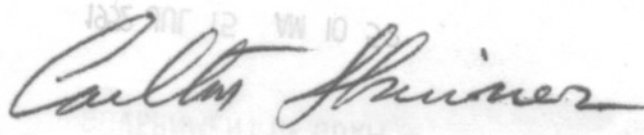
ATTESTED:


A. S. N. DUENAS
Legislative Secretary

This Act was received by the Governor this 15th day
of July, 1952, at 10:52 o'clock A. M.


MANUEL F. L. GUERRERO
Acting Secretary of Guam

APPROVED:


CARLTON SKINNER
Governor of Guam

Dated:

August 6, 1952

1
2 Bill No. 123

3 Introduced by _____
4 Joaquin S. Santos

5 An Act to revise the powers, qualifications,
6 responsibilities and duties of notaries
7 public; to provide for commissioners of
8 deeds and to repeal Chapter 36 of the Civil
9 Regulations with the Force and Effect of
10 Law in Guam.

11 BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF GUAM:

12 ARTICLE I

13 Section 1. Chapter 36 of the Civil Regulations with the
14 Force and Effect of Law in Guam is hereby repealed.

15 Section 2. The Governor may appoint and commission such
16 number of notaries public for the territory of Guam as he shall deem
17 necessary for the public convenience.

18 Section 3. Every person appointed as notary public must be,
19 at the time of appointment, a citizen of the United States residing
20 in Guam, and twenty-one years of age.

21 Section 4. The term of office of a notary public is two (2)
22 years from and after the date of his commission.

23 Section 5. It is the duty of notaries public.

24 (a) To take the acknowledgment or proof of powers of
25 attorney, mortgages, deeds, grants, transfers, and other instruments
26 of writing executed by any person, and to give a certificate of such
27 proof or acknowledgment; endorsed on or attached to the instrument;

28 (b) To take depositions and affidavits, and administer
29 oaths and affirmations, in all matters incident to the duties of the
30 office, or to be used before any court, judge, officer, or board in
31 this territory.

32 (c) To keep a record of all official acts done by them;

(d) To keep a record of the parties to, date, and
character of every instrument acknowledged or proved before them;

1 (e) When requested, and upon payment of their fees therefor,
2 to make and give a certified copy of any record in their office.

3 (f) To provide and keep official seals, which seal shall be in the
4 form prescribed by law.

5 (g) To authenticate with their official seals all official acts.

6 Section 6. If any notary die, resign, is disqualified, removed
7 from office, or removes from the territory, his records and all public
8 papers must, within thirty days, be delivered to the Secretary of Guam,
9 who must deliver them to the notary's successor, when qualified.

10 Section 7. Every notary having in his possession the records
11 and papers of his predecessor in office, may grant certificates or give
12 certified copies of such records and papers, in like manner and with the
13 same effect as such predecessor could have done.

14 Section 8. Subject to the provisions contained in this section
15 hereinbelow, every notary public shall be entitled to demand and receive
16 the following fees:

17 For taking an acknowledgement or proof of a deed,
18 or other instrument, to include the seal and the writing
19 of the certificate, for the first two signatures, one
20 dollar each, and for each additional signature, fifty
21 cents.

22 For administering an oath or affirmation, one dollar.

23 For every certificate, to include writing the same,
24 and the seal, one dollar.

25 Provided, however, that in no event may a notary public demand
26 or receive any fee or compensation of any kind, for performing any duty of
27 a notary public during hours of work, or during the course, of his employ-
28 ment by the government of Guam or the United States.

29 Section 9. Each notary public must execute an official bond in
30 the sum of one thousand dollars, which bond must be approved by the judge
31 of the District Court of Guam. After approval the said bond must be recorded,
32 filed and kept in the office of the Secretary of Guam.

1 Section 10. Each notary must pay his annual license fee, file
2 his official bond, and take, subscribe, and file his oath of office in the
3 office of the Civil Registrar within twenty days from the date of his
4 commission or within twenty days after the effective date of this law,
5 whichever is later, and must transmit a certificate of the facts, under
6 the hand and seal of the Civil Registrar, together with a copy of his
7 official oath, signed by him with his own proper signature, to the office
8 of the Secretary of Guam, to be filed therein within thirty days from the
9 date of his commission or the effective date of this law, whichever is
10 later.

11 Section 11. For the official misconduct or neglect of a notary
12 public, he and the sureties on his official bond are liable to the parties
13 injured thereby for all damages sustained.

14 Section 12. The qualifications set forth in Section 3 of this
15 law shall not deprive any person who is a notary on the effective date of
16 this law from serving out his term of office; provided, that such person
17 shall conform to all other provisions of this law.

18 Section 13. Notaries public shall pay an annual license fee of
19 \$5.00.

20 ARTICLE II

21 Section 14. The Governor may appoint in each state, territory
22 or insular possession of the United States, or in any foreign state one
23 or more commissioners of deeds, to hold office for the term of two years
24 from and after the date of their commission.

25 Section 15. Every commissioner of deeds has power, within the
26 jurisdiction for which he is appointed:

- 27 (a) To administer and certify oaths;
- 28 (b) To take and certify depositions and affidavits;
- 29 (c) To take and certify the acknowledgment or proof of
30 powers of attorney, mortgages, transfers, grants, deeds, or other
31 instruments for records;
- 32 (d) To provide and keep an official seal, which seal shall be

1 as prescribed in Section 8 of Public Law 33, Tenth Guam Congress, except
2 that the words shall be, "Commissioner of Deeds for the territory of
3 Guam," and the name of the jurisdiction for which he is commissioned;

4 (e) To authenticate, with his official seal, all his official
5 acts.

6 Section 16. All oaths administered, depositions and affidavits
7 taken, and all acknowledgments and proof certified by commissioner of deeds,
8 have the same force and effect, to all intents and purposes, as if done and
9 certified in this territory by any officer authorized by law to perform such
10 acts.

11 Section 17. The official oaths of commissioners of deeds must be
12 filed in the office of the Secretary of Guam within six months after they
13 are taken.

14 Section 18. The fees of commissioners of deeds are the same as
15 those prescribed for notaries public.

16 Section 19. The Secretary of Guam must transmit, with the commission
17 to the appointee, a certified copy of this article and of Section 9 of this
18 law.

19 Section 20. This is an urgency measure and shall be effective upon
20 the approval by the Governor.

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